

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Susan Lindquist Art Unit : 1649
Patent No. : 7,799,535 Examiner : Olga N. Chernyshev
Issue Date : September 21, 2010 Conf. No. : 7099
Serial No. : 09/207,649
Filed : December 8, 1998
Title : METHODS FOR IDENTIFYING FACTORS THAT CONTROL THE FOLDING
OF AMYLOID PROTEINS OF DIVERSE ORIGIN

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPLICATION FOR PATENT TERM ADJUSTMENT UNDER 37 C.F.R. § 1.705(d)

Patentee hereby requests reconsideration of the Patent Term Adjustment (PTA) accorded the above-referenced patent. Reconsideration of the final PTA calculation to increase total PTA from 117 days to 159 days is respectfully requested.

A reply to the Notice of Allowance and payment of the Issue Fee were due on or before August 12, 2010 (the date that is three months after May 12, 2010, the date on which the Notice of Allowance was mailed). On page 2 of the Notice of Allowability mailed with the Notice of Allowance, the Examiner expressly requested (at item number 5) that Patentee submit a courtesy copy of the originally filed oath or declaration, as it was missing from the Office's file (though it had been submitted in a timely manner during prosecution of the application).

Patentee complied with the Examiner's request and submitted the requested courtesy copy on August 11, 2010, together with payment of the issue fee. The PAIR/PALM system indicates that the Office assessed an Applicant Delay of 42 days, apparently considering this post-allowance filing a failure to engage in reasonable efforts to conclude processing or examination of the application under 37 C.F.R. § 1.704(c)(10). As the inventor declaration had been timely submitted during prosecution of the application and was filed after allowance only in response to the express request of the Examiner, Patentee respectfully submits that the post-allowance submission should not be considered a failure to engage in reasonable efforts to conclude prosecution of the application as outlined in 37 C.F.R. § 1.704(c)(10). Rather, by submitting the requested courtesy copy, Patentee was in fact aiding the Office in concluding

CERTIFICATE OF MAILING BY EFS-WEB FILING

I hereby certify that this paper was filed with the Patent and Trademark Office using the EFS-WEB system on this date: November 22, 2010.

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prosecution. As such, Patentee respectfully submits that the PTO's assessment of Applicant Delay was improper and request a correction so that 0 days of Applicant Delay are assessed for this filing.

In view of the foregoing, the final PTA calculation should be increased by 42 days, from 117 days to a total of 159 days.

This patent is not subject to a terminal disclaimer.

The fee of \$200 required under 37 C.F.R. § 1.18(e) is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account Authorization. Please apply any other required charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 17841-0004001.

Respectfully submitted,

Date: November 22, 2010

/Jack Brennan/
Jack Brennan
Reg. No. 47,443

Fish & Richardson P.C.
PTO Customer No. 26161
Telephone: (212) 765-5070
Facsimile: (877) 769-7945